

# TREASURY DEPARTMENT

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## REQUEST FOR STATEMENT OF QUALIFICATIONS (SOQ) FOR UNDERWRITER SERVICES

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DATE: June 16, 2016

### QUESTIONS:

Any questions and/or requests for clarifications must be submitted in writing to the Treasury Department no later than Friday, June 24, 2016 at 4:00 P.M., C.D.T.

DUE DATE: Monday, July 11, 2016, at 4:00 p.m., C.D.T.

Jesse Ruiz  
President, Board of Commissioners

Michael P. Kelly  
General Superintendent and CEO

Cynthia Evangelisti  
Treasurer



## **LEGAL ADVERTISEMENT**

Date: June 16, 2016

### **CHICAGO PARK DISTRICT TREASURY DEPARTMENT**

#### **REQUEST FOR STATEMENT OF QUALIFICATIONS (SOQ) FOR UNDERWRITER SERVICES**

**Location:** The Chicago Park District -Treasury Department  
541 N. Fairbanks Court, 6th Floor  
Chicago, IL 60611

**Description:** The Chicago Park District invites the submission of qualifications for  
**UNDERWRITER SERVICES**

Any QUESTIONS must be submitted in writing to the Treasury Department by  
Friday, June 24, 2016 at 4:00 P.M., C.D.T.

**Due Date:** Monday, July 11, 2016 at 4:00 P.M., C.D.T.

## **chicago park district**

**Jesse Ruiz**  
President, Board of Commissioners

**Michael P. Kelly**  
General Superintendent and CEO

**Cynthia Evangelisti**  
Treasurer

**LATE SOQs WILL NOT BE ACCEPTED**

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**REQUEST FOR STATEMENT OF QUALIFICATIONS  
for  
UNDERWRITER SERVICES**

Contact Person: Cynthia Evangelisti, Treasurer  
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## GENERAL INFORMATION

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### BACKGROUND

The Chicago Park District (hereinafter Park District) is a municipal corporation organized in 1934. It is governed by a seven-person Board of Commissioners appointed by the Mayor of Chicago, with the advice and consent of the City Council. The Board of Commissioners appoints the General Superintendent, who is responsible for the Park District's day-to-day operations.

The Park District owns and operates over 8,300 acres of park property. This includes 580 parks and play lots, over 250 staffed park recreation centers, 6 golf courses, 10 major museums, a stadium, a zoo, and 26 miles of lakefront, including 10 harbors and 31 bathing beaches. There are approximately 450 buildings in the system, including several schools, which are used jointly with the Chicago Board of Education.

The Park District offers a wide range of recreational and educational programs featuring both physical and cultural activities. For more information, visit [www.chicagoparkdistrict.com](http://www.chicagoparkdistrict.com).

### REQUEST FOR STATEMENT OF QUALIFICATIONS (SOQ)

The Park District is seeking responses to this Request for SOQ in order to establish a pool of qualified underwriting firms ("Pool") from which the Park District will select qualified firms to serve as Senior, Co-Senior or Co-Manager (each as defined herein) underwriters with respect to certain bonds issued by the Park District. **Joint SOQs will not be accepted.** This request for SOQ solely relates to bonds of the Park District and not of any other governmental entity, including the City of Chicago and any "sister agencies" of the City. Accordingly, the Park District will utilize the Pool to select firms to serve as either Senior, Co-Senior, and/or Co-Manager underwriter on future issuance of Park District bonds.

The Park District will review submitted SOQs in accordance with the evaluation criteria set forth herein. Prior to selection into the pool, the Park District may engage in discussions with responsible submitters. Contents of SOQs are not publicly disclosed until after the Pool of qualified firms is selected.

If selected, your firm will be expected to complete an Economic Disclosure Statement (EDS) on a per deal basis and for this submittal. A copy of the Economic Disclosure Statement is attached.

### NO AWARD

The acceptance of a firm into the Pool does not guarantee participation in bond deals or vest the firm with any rights with respect to the Park District. The receipt of responses or other documents at any stage of this Request for SOQ will in no way obligate the Park District to enter into any contract of any kind with any party. Prior to final selection into the Pool, the Park District may conduct interviews and discussions with prospective firms.

In addition, the Park District reserves the right to reject any and all SOQs at any stage, or to modify, withdraw, cancel, or reissue this request, in whole or in part, in the event that competition is deemed inadequate or that it is otherwise in the best interest of the Park District.

The Park District may occasionally seek ideas, advice, and proposals from firms accepted into the Pool. Inclusion in the Pool, and providing ideas, advice, or proposals does not offer any assurance that a firm will be appointed to any transaction.

### **TERM OF POOL**

The Park District intends to establish the Pool for a 2-year time period with the requirement that each firm in the Pool provide semiannual updates related to each firm's: 1) MBE/WBE/WMBE/DVBE background and staff diversity, 2) economic disclosure statements (EDS), 3) legal issues, 4) compliance with qualifications for inclusion in the Pool, 5) number of employees in the City of Chicago and 6) extension of credit support to the Park District. The Park District intends to periodically review the pool to provide firms with the opportunity to present their qualifications to serve the Park District and assure the pool reflects the needs of the Park District. The Park District will consider late submissions but only for co-managers and such firms will only be included in the pool for the remaining term of the 2-year time period established by this SOQ.

**End of General Information**

## SOQ INFORMATION

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The Special Conditions (if any), the General Conditions, and the specification shall govern, in that order, if there is any conflict between the submittal requirements.

### 1. EXAMINATION OF SOQ DOCUMENTS

Each submitter may obtain one copy of the SOQ package in the manner provided in the advertisement. Chicago Park District SOQ documents obtained from any source other than the Park District cannot be assumed to be complete, and SOQs prepared from such documents are subject to rejection.

It is expected that each submitter will read the entire request for SOQ document with care, and will submit the forms and affidavits contained in this request for SOQ without alteration. The Park District will not accept SOQ forms that have been recreated or reformatted by the submitter.

It is also expected that each submitter will carefully review its SOQ before submittal to the Treasury Department to confirm that it meets all requirements set forth in the SOQ's Execution and SOQ Contents sections. The submitter's negligence in these matters, or the failure of the submitter to ask relevant questions before the submittal due date will not relieve the submitter of any obligations to comply, in every detail, with all provisions and requirements of the request for SOQ, if the submitter is selected to be in the Pool. Conversation with an attorney is recommended, since this document may have important legal consequences.

### 2. QUESTIONS & ANSWERS

Questions must be submitted in writing by 4:00 p.m., Central Daylight Time, Friday, June 24, 2016. Questions submitted later will not be answered.

Any correction, revision, answer, or clarification of the request for SOQ documents will be made only by a written addendum (if something in the request for SOQ is changed) or a Clarifications / Answers document (if nothing in the request for SOQ is changed) issued by the Treasurer or her designee.

A copy of such addendum (or Clarifications / Answers), if any, will be faxed, mailed, or e-mailed to each person recorded as having obtained a copy of the request for SOQ from the Park District. The Park District will not be liable for the submitter's failure to obtain or download any addenda that may be issued for this SOQ. It is the sole responsibility of the submitter to obtain such addenda. No addenda will be issued later than five (5) days prior to the date SOQs are due, unless it is an addendum canceling the request for SOQ, or one that includes the postponement of the SOQ's due date.

Submitter must acknowledge receipt of each addendum on the SOQ's Signature Page. It is not necessary to acknowledge receipt of a Clarifications / Answers document.

### 3. FORMS

Remove and complete all of the forms listed on p. 24 in the SOQ Contents section. For purposes of comparisons between submitters, use "as is." Do not scan and reformat these forms. Any SOQ submittal form that has been reformatted or re-created in any fashion by the submitter may be summarily rejected. Sign appropriately and have notarized where required.

#### **4. NO SUBCONTRACTORS**

Firms selected to be included in the Pool shall not include any subcontractors in its SOQ for the performance of any of the underwriting services unless the subcontractor is a registered broker dealer in good standing with applicable federal, state and local regulatory agencies and has entered into a retail distribution agreement with the firm. Notwithstanding any such agreement, each firm shall be responsible for any and all underwriting and related services if approved as an underwriter on a Park District bond issue.

#### **5. EXCEPTIONS TO THE SOQ**

Any deviations from this Request for SOQ must be noted on the relevant SOQ page(s), with the exact nature of the change(s) outlined in sufficient detail in a cover letter. The reason for such deviations should also be included. CAUTION: The Park District will evaluate the impact of such exceptions to the specifications, and reserves the right to disqualify SOQs that do not completely meet the specification requirements.

NOTE: Changes, additions, or deletions made to the General Conditions by the submitter are included in this disqualification caution.

Failure of any firm to comply with the terms of this paragraph also may be cause for rejection from the Pool.

#### **6. COMPETENCY OF SUBMITTER**

The submitter, if requested, must present within a reasonable time (as determined by the Treasurer or her designee) evidence satisfactory to the Treasurer or designee of ability to successfully perform underwriting services, and the possession of necessary facilities, labor, materials, equipment, supplies, expertise, financial resources, and adequate insurance to comply with all of the terms of any underwriting services awarded.

No underwriting services will be awarded to any firm that is in arrears, litigation or is in default with the Park District upon any debt of contract, or that is defaulter, as surety or otherwise, upon any obligation to said Park District, or has failed to perform faithfully on any previous contract with the Park District.

#### **7. WITHDRAWAL OF SOQ**

Submitters may withdraw their submitted SOQ at any time by giving written notice to the Treasurer.

#### **8. ERRORS IN SOQ**

Submitters are cautioned to verify their SOQ prior to submission. Negligence on the part of the submitter in preparing the SOQ confers no right of modification of the SOQ after the closing time for its receipt. Inadvertent errors (such as the omission of one page of a multi-page document) that have a correction submitted after the designated submission time may be considered at the sole discretion of the Park District if the submitter submits with the correction sufficient information to prove that the error was inadvertent. Such amendments are not favored and, in the case of doubt, requests will be denied.

#### **9. LATE SOQs**

Late SOQs will not be accepted. The Park District does not specify the method by which SOQs are to be delivered; therefore, it cannot be held responsible for any delay, regardless of reason, in the receipt of SOQs in the Treasury Department. SOQs delivered by mail or messenger will be considered only when said SOQs are received in the Treasury Department at or before the due date and time. The Park District does not guarantee that SOQs received in the building by mail or messenger will be delivered to the Treasury Department or at before the time due. SOQs thus delayed will not be considered and will be returned unopened. Any material misrepresentations made by the submitter(s) will void the response and eliminate the submitter(s) from further consideration. The Park District reserves all rights with regard to this solicitation.



**10. INCURRED COST**

All costs incurred in the preparation and submission of SOQs shall be borne by the submitter.

**11. RETURN OF SOQS**

The Park District is under no obligation to return any SOQs or materials submitted by the submitter as a response to this SOQ.

**12. RESERVED RIGHTS**

The Treasurer or her designee shall represent the Park District in all matters pertaining to this SOQ, and reserves the right to reject any and all SOQs during any stage of this Request for SOQ, or to modify, withdraw, cancel, or reissue this solicitation, either in whole or in part, in the event that responses are deemed inadequate or that it is otherwise in the best interest of the Park District.

The Treasurer or her designee also reserves the right to disregard any informality in the SOQ when, in her opinion, the best interests of the Park District will be served by such action.

**End of SOQ Information**

## SCOPE OF SERVICES

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### **INVITATION**

The Chicago Park District (Park District) is soliciting SOQs from underwriting firms to determine firms' qualification to be included in the Pool. As is its current practice, for each bond financing the Park District will appoint a team of underwriters to serve in various capacities, including Senior Manager, Co-Senior Manager, and/or Co-Manager (each as defined below). Going forward, the Park District intends to choose its underwriting team from the selected firms in the Pool on an issue-by-issue basis.

The submitter must have the professional qualifications, licenses and experience necessary for the satisfactory performance of all services required by this Request for SOQ, and shall provide all labor, materials, equipment, and vehicles necessary for the performance of all services. The services and materials provided must be competitively priced, of the highest and best quality, and delivered in a timely manner.

All firms proposing to serve as Senior Manager will automatically be considered for a Co-Senior or Co-Manager position. **However, please indicate if your firm wishes to be considered for the position of Senior Manager ONLY.**

### **DEFINITIONS**

In addition to the terms defined elsewhere in this Request for SOQ, the following terms shall have the meaning ascribed to it when used in this Request.

“Co-Manager” means a member of the underwriting syndicate.

“Co-Senior Manager” means the non bookrunning lead manager who generally works with the Senior Manager in handling negotiations in a negotiated underwriting or directing the processes by which a bid is determined for a competitive underwriting.

“Proposer”, “submitter”, and “Submitter” each means a submitter of a SOQ under this Request for SOQ that has provided the required documentation per the SOQ specifications to the Park District.

“Senior Manager” means the bookrunning lead manager who generally handles negotiations in a negotiated underwriting or directs the processes by which a bid is determined for a competitive underwriting.

### **SCOPE OF SERVICES**

**It is the Park District's intention to qualify a group of underwriting firms for its Pool and choose the specific role of each firm (Senior Manager, Co-Senior Manager, Co-Manager) on an issue-by-issue basis based on each firm's particular experience and qualifications.**

1. Senior Manager will be expected to provide comprehensive “book-running” services related to the structuring, marketing, selling, and underwriting of debt. This shall include, but may not be limited to, the following:
  - (a) Provide surveillance of Park District debt and identify opportunities in the market for the Park District;
  - (b) Develop financing structures reflecting the Park District's existing debt portfolio and long-term financial issues;
  - (c) Develop marketing and pricing strategies;
  - (d) Manage the syndicate, including co-managers and selling group, if any;
  - (e) Provide relevant market and economic data, pricing views, comparable prices, and pricing proposals prior to pricing (weekly updates and calls including spread levels, pricing comparables, summaries of investor interest, etc.);
  - (f) Assist the Park District in obtaining ratings and compiling rating agency presentations;

- (g) Manage investor outreach and marketing, including developing investor presentations and electronic or other road show materials as needed in support of specific bond issues;
  - (h) Follow Park District policies, either oral or written, for liability designation and retention, pricing procedures and the process of selling debt obligations;
  - (i) Review the accumulation of orders with the Park District and its Municipal Advisor(s) throughout the sale process;
  - (j) Underwrite bonds, if necessary, to enable an orderly pricing in accordance with applicable federal rules and regulations and to meet the Park District's goals for pricing;
  - (k) Participate in meetings and conference calls with Park District staff, co-bond counsel and other bond financing team members as needed;
  - (l) Review and provide comments on bond documents;
  - (m) Coordinate and participate in informational and due diligence meetings;
  - (n) Provide certifications as required by co-bond counsel;
  - (o) Provide post-pricing support, including:
    - (1) Fulfill orders and allotments, upon approval of the Park District,
    - (2) Market support for underwritten bonds,
    - (3) Provide all relevant pricing information to the Park District, including orders (retail, member, and priority), debt service schedule, rates, yields, true interest cost, information related to comparable transactions.
    - (4) Provide post-pricing trading information and
  - (p) Support secondary market trading of Park District bonds.
2. Co-Senior Manager will be expected to provide services related to marketing, selling and underwriting of Park District debt, including, but not limited to:
- (a) Participate with the book-running Senior Manager in the development of marketing and pricing plans;
  - (b) Market the Park District's bonds;
  - (c) Follow Park District policies, either oral or written, for liability designation, pricing procedures and the process of selling debt obligations;
  - (d) Underwrite bonds, if necessary, to enable an orderly pricing in accordance with applicable federal rules and regulations and to meet the Park District's goals for pricing;
  - (e) Provide certifications as required by co-bond counsel;
  - (f) Participate in informational and due diligence meetings and
  - (g) Provide post-pricing market support for underwritten bonds.
3. Co-Managers will be expected to provide services related to marketing, selling and underwriting of Park District debt, including, but not limited to:
- (a) Support the book-running Senior Manager and Co-Senior Manager in the development of marketing and pricing plans;
  - (b) Market the Park District's bonds;
  - (c) Follow Park District policies, either oral or written, for liability designation, pricing procedures and the process of selling debt obligations;
  - (d) Underwrite bonds, if necessary, to enable an orderly pricing in accordance with applicable federal rules and regulations and to meet the Park District's goals for pricing;
  - (e) Provide certifications as required by co-bond counsel;
  - (f) Participate in informational, if requested, and due diligence meetings; and
  - (g) Provide post-pricing market support for underwritten bonds.

## **SOQ TECHNICAL REQUIREMENTS**

The purpose of the SOQ technical requirements is to demonstrate the qualifications, competence, and capacity of

Submitters seeking to be included in the Pool. As such, the substance of SOQs will carry more weight than their form or manner of presentation. The SOQ should demonstrate the qualifications and experience of the firm, the firm's available capital and the experience of the particular staff to be assigned to provide underwriting services.

The technical SOQ should address all the points outlined in the SOQ. The SOQ should be prepared simply and economically, providing a straightforward, concise description of the Submitter's capabilities to satisfy the requirements of the Scope of Services. While additional data may be presented, the following subjects, items Nos. A through E, must be included in the technical SOQ. They represent the criteria against which the SOQ will be evaluated.

THERE SHOULD BE NO DOLLAR UNITS NOR TOTAL COSTS INCLUDED IN THE TECHNICAL SOQ DOCUMENT. The Submitter must demonstrate that it has been in business for a minimum of three (3) consecutive years, providing comprehensive services comparable to those described in Scope of Services.

Responses should be on 8 ½ x 11-inch paper with a font size no smaller than 10. Page limits are indicated for each section.

**The Park District will not be liable for any costs incurred by any submitter in connection with preparing their SOQ.**

The below elements must be included in each technical SOQ. If the information is not included, the SOQ will be considered non-responsive and may be eliminated from consideration.

#### **A. Qualifications**

In order to be eligible for admission to the Pool, **submittal Forms B and C and the "Description of the Firm" must substantiate that the submitter** meets the following qualifications:

1. Provide the most recent financial information for your firm that shows, at a minimum, (i) total capital, (ii) excess net capital (uncommitted) as of your firm's most current reporting date, and (iii) excess net capital committed/allocated to support public finance in each calendar year since January 1, 2013.
2. Please provide the average daily balance of (i) all municipal bonds, and (ii) municipal bonds of Illinois and Chicago-based issuers (Chicago-based issuers are limited to the following entities: City of Chicago, Chicago Public Schools, Chicago Housing Authority, Chicago Transit Authority, Chicago Public Building Commission, City Colleges of Chicago, Chicago Infrastructure Trust, Cook County, Cook County Forest Preserve District, Metropolitan Pier and Exposition Authority and Metropolitan Water Reclamation District of Greater Chicago) that are held by your firm in support of secondary market sales and trading.
3. Licenses and Registrations – The firm must hold and maintain at all times, all licenses and registrations required by applicable federal and state laws for businesses offering underwriting or investment banking services. All licenses and registrations must be current and in good standing with each of the following:
  - U.S. Securities and Exchange Commission (SEC);
  - Financial Industry Regulatory Authority (FINRA);
  - FINRA Series 53: The firm must maintain at all times, at least one full-time professional supervisory employee with a FINRA Series 53 license (Municipal Securities Principal);
  - Illinois Department of Securities; and
  - Municipal Securities Rulemaking Board (MSRB)
4. Semi-annual Disclosure Report  
Firms selected as members of the Pool are required to complete a disclosure certification semiannually regarding any changes to the firm's ability to meet the qualifications and the disclosure information submitted in the firm's SOQ. The firm shall fulfill this requirement by submitting an updated Disclosure Report (a copy of the Disclosure Report Form will be included with the Underwriter Pool Acceptance Letter) that includes disclosure of any new actions

brought against the firm subsequent to its initial disclosure at the time of its submission of the SOQ. Once disclosed, firms must continue to report on all open actions until they are resolved. If no changes or new actions have occurred, please select the appropriate box on the Disclosure Report. Required back-up documentation for the semiannual report includes, but is not limited to: copies of the firm's most recent SEC Form 10-K and 10-Q (Legal Proceedings sections only), if required by the SEC; and an updated copy of the Disclosure Event section of the firm's FINRA Broker Check Report including all pending, final, and on appeal regulatory, civil, arbitration, and bond events. If a firm fails to submit the mandatory semiannual report within seven business days of the deadline (June 30 and December 31), the firm may be suspended from the Pool, be ineligible for appointments, and be required to request reinstatement.

5. The firm employs at least one dedicated public finance investment banker that lives and works in Chicago, that has at least two years of experience as a public finance investment banker, and that holds a Series 52, 53, or 7 (Series 7 passed on or before March 31, 2014). The Park District shall have sole discretion in determining whether the firm meets this requirement.

Scope of Services (no more than ½ of a page)

**B. Cover Letter and Description of the Firm** (no more than 3 pages)

1. Provide a brief description of your firm, including the number of underwriters and sales personnel practicing in public finance. Explain how your firm is organized and how its resources will be applied to the Park District.
2. Describe your firm's commitment to public finance including how long your firm has been engaged in municipal work nationally and in Illinois and a statement indicating if your public finance and sales and trading staff has grown, diminished or remained stable in recent years.
3. Indicate the location of your firm's corporate headquarters and the location from which work will be provided to the Park District.
4. Please indicate if your firm has an office in the City of Chicago; if so, please list the type of office(s) as well as the number of full-time employees working within the City limits. If personnel split their time between multiple offices, use the employee's place of primary residence to determine whether they are based in Chicago.
5. Please describe your firm's prior commitment to the Park District including (if applicable) a list of the proposals or financing ideas your firm has presented to the Park District. Include date, topic and suggestion.
6. The Park District is interested in and encourages the participation of local minority and woman owned businesses in providing underwriting services. State your firm's Minority-owned (MBE), Women-owned (WBE), Minority and Woman-owned (MWBE) or Disabled Veteran (DVBE) Business Enterprise status, if any, and the organization certifying your MBE, WBE, MWBE or DVBE status.

**C. Experience and Qualifications** (no more than 10 pages)

1. Provide by the name, title, contact information, location and brief background for key professional(s) assigned to the Park District. For each person, include number of years of experience, number of years at the firm, and experience applicable to Park District financings. Please note: The Park District reserves the right to reject any key personnel proposed if it is determined in the Park District's best interest. Key professionals must not be replaced during the contract term without the approval of the Park District.

2. Please provide a listing of transactions that your firm has served on as underwriter in the last two years. Include the name of the issuer, state, par amount, security, issue date and the role your firm served. This information may be provided as an appendix to your SOQ.
3. Describe your firm's experience with Illinois tax-exempt general obligation issuances within the last two years. Please highlight any experience with Illinois limited tax general obligation bonds and alternate revenue source bonds.
4. Please describe your firm's marketing strategy with respect to the Park District's bonds.
5. Please describe your understanding of the Park District's credit and any structuring ideas you have to address Park District's operating or capital funding needs.
6. Provide names, addresses, and phone numbers of at least four governmental references.

List the bond issues closed since January 1, 2009, in which the investment banker(s) proposed to be assigned to the Park District have participated, by issuer type (i.e., state agency and state institutions of higher education, cities, counties, school districts, junior colleges, and other special authorities and districts.)

INCLUDE ONLY FINANCINGS OF \$100 MILLION OR GREATER COMPLETED FOR ILLINOIS ENTITIES.

This information must be provided in tabular format as follows:

Issuer	Bond Issue Name	Tax Status (1)	Size of Issue (in millions)	Role (2)	Method of Sale (3)	Interest Rate F or V (4)

- (1) Tax-exempt, taxable Build America Bonds, or taxable bonds
- (2) Senior Manager, Co-Senior Manager, Co-Manager
- (3) Competitive or Negotiated
- (4) Fixed or Variable Interest Rate Product

Please report separate series of one transaction as one bond issue. For example, if a transaction includes a tax-exempt series and a small taxable series, report the transaction as one bond issue. Highlight any Park District transactions included on this list.

**D. Legal and Firm Issues** (no more than 2 pages)

1. Please disclose and explain any significant negative events in your firm's municipal finance department's recent history including criminal charges, civil litigation, or administrative actions involving allegations of securities law violations by your firm or its employees during the past five years. Please comment on the resolution and/or status of the actions.
2. Are there any other lines of business conducted by your firm that could complement or conflict with your role on Park District transactions? Please disclose any arrangements that might present an actual or apparent conflict of interest with this role.
3. Disclose any existing or contemplated relationship with any other person or entity, including relationships with Park District staff, which would constitute an actual or potential conflict of interest in connection with the rendering of services detailed in this response. If a conflict does or might exist, please describe how your firm would resolve the conflict.

**E. Assigned Professionals**

Provide by the name, title, contact information, location and brief background for key professional(s) in each of the following areas. For each person, include number of years of experience, number of years at the firm, and experience applicable to Park District financings. DO NOT include resumes. Include the MBE/WBE//WMBE/DVBE status of each member of the team. **If selected, your firm will be expected to provide an update of any personnel changes as they occur:**

1. Investment Banking – primary investment banking team (by credit). Underwriting, Marketing and Sales – key pre-sale marketing professionals, key sales, underwriting and distribution management professionals (by credit).

**F. Additional Information**

Provide any additional information that you deem appropriate as the Park District reviews your firm's qualifications.

**End of Scope of Services**

## GENERAL CONDITIONS

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These General Conditions form a part of the contract documents.

### DEFINITIONS

**Addendum** (plural **addenda**) means an addition, correction, deletion, or modification of or to this specification, issued to prospective submitters prior to the date and time SOQs are due.

**General Superintendent** means the General Superintendent and CEO of the Chicago Park District. The General Superintendent shall represent and act for the Park District in all matters pertaining to this Request for SOQ in conjunction therewith. The term General Superintendent shall include any person designated in writing by the General Superintendent to act in his/her stead with respect to this contract and shall also include, with respect to any actions taken prior to the award of this contract, the Treasurer.

**Losses** means, individually and collectively, liabilities of every kind, including losses, damages, and reasonable costs, payments, and expenses (such as, but not limited to, court costs and reasonable attorneys' fees and disbursements), claims, demands, actions, suits, proceedings, judgments, or settlements, any or all of which in any way arise out of or relate to any act, error, or omission of submitter, submitter's breach of the Agreement, or submitter's negligent or otherwise wrongful acts or omissions or those of its officers, agents, employees, consultants, subcontractors, or licensees.

#### I. COMPLIANCE WITH ALL LAWS

- A. Each Submitter covenants that it shall comply with all applicable laws, ordinances, executive orders and regulations of the federal, state, local and city government, which may in any manner affect the performance of underwriting services shall abide by the "Conduct Prohibited" provisions of the Park District Code, IV, B.
- B. Non-compliance with the above is grounds for removal from the Pool. Other sanctions may be imposed and remedies invoked as otherwise provided by law.

#### II. NON-DISCRIMINATION

- A. Each Submitter covenants that it shall comply with the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., as amended, and any rules and regulations promulgated in accordance therewith, including, but not limited to the Equal Employment Opportunity Clause, Illinois Administrative Code, Title 44, Part 750 (Appendix A), which is incorporated herein by reference. Furthermore, the awardee shall comply with the Public Works Employment Discrimination Act, 775 ILCS 10/0.01 et seq., as amended.
- B. In the event a firm in the Pool is selected to perform underwriting services, during the performance of such services, it agrees that it shall not discriminate against any worker, employee or applicant, or any member of the public, on the basis of race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, unfavorable discharge from military services, parental status, or sexual orientation. Upon request of the Park District, the firm also agrees to submit in writing a plan demonstrating compliance with equal employment opportunity laws and Park District policy requiring equal employment opportunity to all. In the event a firm in the Pool is selected to perform underwriting services, during the term of such services, the firm shall complete and submit the most recent MBE/WBE/MWBE/DVBE Certification, as requested to do so by the Park District.



- III. ETHICAL CONDUCT.** Any effort to influence any public employee to breach the standards of ethical conduct constitutes a breach of ethical standards. It shall be a breach of ethical standards for any person to offer, give or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or in any other solicitation or proposal therefore.
- IV. CONFLICTS OF INTEREST**
- A.** No member of the governing body of the Park District or other unit of government and no other officer, employee, or agent of the Park District or other unit of government who exercises any functions or responsibilities in connection with the carrying out of the project shall have any personal interest, direct or indirect, in the contract.
- B.** The submitter covenants that it presently has no interest and shall not acquire any interest, direct or indirect, in the project to which the contract pertains which would conflict in any manner or degree with the performance of its work hereunder. The submitter further covenants that, in its performance of the contract, no person having any such interest shall be employed.
- V. NON-COLLUSION.** Neither the firm nor its agents, employees, officers and any subcontractors, has been engaged in or been convicted of collusion activities as defined on the Signature Page submitted with the SOQ.
- VI. PROHIBITION OF ASSIGNMENT.** The firm shall not delegate the performance of any obligation of the underwriting services to any third party, or subcontract or assign such services, in whole or in part, unless the subcontractor is a registered broker dealer in good standing with applicable federal, state and local regulatory agencies and has entered into a retail distribution agreement with the firm. Such agreement shall not relieve the firm of any underwriting responsibilities.
- VII. DISPUTES.** In the event any questions or disputes as to the meaning or requirements of anything in this contract arise, the matter shall at once be referred for consideration and decision to the General Superintendent of the Park District, who shall reduce his/her decision to writing and who shall mail or otherwise furnish a copy to the awardee(s). The decision of the General Superintendent shall be final and binding.
- VIII. CHANGE OF ADDRESS OR BUSINESS INFORMATION.** The Treasurer must be notified immediately in writing of any change of address of a firm, or change in name and/or ownership, or of any change in the firm's business organization as described in the Economic Disclosure Statement submitted with the SOQ.

## **EVIDENCE OF INSURANCE**

### **RATING OF INSURANCE COMPANIES**

The insurance company or companies providing the required coverage during the entire term of the contract shall be satisfactory to the Park District and shall carry a minimum policyholder rating of not less than "A" as listed in Best's Key Rating Guide.

### **CERTIFICATES OF INSURANCE**

Each submitter of a SOQ shall furnish to the Treasurer, Chicago Park District, 541 North Fairbanks Court, 6<sup>th</sup> Floor, Chicago, IL, 60611, original certificates of insurance evidencing the required coverage, in force on the due date of the SOQ, and renewal certificates of insurance or some such similar evidence if the coverage(s) have an expiration or renewal date occurring during the term of the Pool.

The receipt of any certificate does not constitute agreement by the Park District that the insurance requirements under any future contract to underwrite Park District's bonds have been fully met or that the

insurance policies indicated on the certificate are in compliance with all of the contract requirements. The failure of the Park District to obtain certificates or other insurance evidence from a submitter shall not be construed as a waiver of the requirements by the Park District.

#### **NAMED INSURED**

Except for Workman's Compensation and Professional Liability, the awardee shall make the Chicago Park District, its Commissioners, Board members, officers, agents, and employees, individually and collectively, an additional insured.

#### **TYPES AND LIMITS**

**Worker's Compensation Insurance and Employer's Liability insurance:** in accordance with the laws of the State of Illinois, with statutory amounts covering all employees who are to provide a service under this agreement, with limits of not less than **\$500,000** for each accident or illness.

**Commercial General Liability Insurance:** on an occurrence basis or equivalent with limits of not less than **\$1,000,000** per occurrence, combined single limit, and **\$2,000,000** aggregate, including but not limited to bodily injury, personal injury, property damage, products/completed operation, contractual liability, cross liability and severability of interest. The Chicago Park District is to be named as an additional insured.

**Automobile Liability Insurance:** When any motor vehicles are used in connection with work to be performed under this contract, the awardee or his subcontractors (if any) shall provide \$1,000,000 combined single limit per occurrence for bodily injury and property damage. Hired and non-owned vehicle coverage is to be included with any owned vehicle coverage. The Chicago Park District is to be named as an additional insured.

**Professional Liability Insurance:** with limits of liability no less than **\$2,000,000**.

**Excess (Umbrella) Liability Insurance:** with limits of liability no less than **\$5,000,000**.

The Park District reserves the right to modify, delete, alter or change these requirements.

**End of General Conditions**

## **SOQ EXECUTION**

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### **NOTICE**

A person or persons legally authorized to bind the submitter to a contract must sign the SOQ.

### **IF THE SUBMITTER IS A CORPORATION**

The SOQ shall be signed in the name of the corporation by the President or CEO of the company and shall be properly notarized. The SOQ shall show the state in which the corporation is chartered. If it is a foreign corporation, the SOQ shall show whether or not it is licensed to transact business in Illinois.

If someone other than the President or CEO signs the Park District requires the inclusion of satisfactory evidence (copies of corporate bylaws, resolutions, or power of attorney) that the person signing the SOQ is properly authorized to execute contracts.

### **IF THE SUBMITTER IS A PARTNERSHIP OR LIMITED LIABILITY COMPANY**

The SOQ shall be signed in the name or style under which the organization is doing business, by all of the partners or members, unless one partner or member has been authorized to sign for the partnership or limited liability company, in which case evidence of such authority satisfactory to the Treasurer must also be submitted.

**End of SOQ Execution**

## SOQ CONTENTS

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The SOQ must contain the following:

1. **SOQ TECHNICAL REQUIREMENTS (Pages 11-14)**
2. **FORMS, in the following order:**
  - a. SIGNATURE PAGE  
(Receipt by the submitter of addenda or supplements to this SOQ must be acknowledged on the SOQ's Signature Page.)
  - b. LICENSE, REGISTRATION, ETC.
  - c. CAPITAL COMPLIANCE
  - d. ECONOMIC DISCLOSURE STATEMENT & AFFIDAVIT
  - e. SELF PERFORMANCE AFFIDAVIT
  - f. FIRM CONTACTS
  - g. MBE/WBE/WMBE/DVBE VERIFICATION OF CERTIFICATION
3. **CERTIFICATIONS AND LICENSES:** Provide a copy of
  - a. Your firm's Illinois Certificate of Good Standing
  - b. Your firm's insurance certificate (or Letter of Insurability from the insurance carrier, evidencing the coverage(s) and limits required for this contract)
  - c. Any/all of the firm's licenses that are required by the State of Illinois or City of Chicago to perform this type of work
  - d. MSRB and SEC registrations

**End of SOQ Contents**

## SOQ PACKAGING AND DELIVERY

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**YOUR SOQ SHOULD HAVE THREE (3) SECTIONS, AS LISTED ON PAGE 20.**

1. FORMS
2. CERTIFICATIONS AND LICENSES
3. SOQ TECHNICAL REQUIREMENTS

### **COPYING THE SOQ**

#### A. The original

Before the original (of all 3 sections) is signed, make one copy. Have both the original and the copy signed (see SOQ Execution, p. 19). Both must have original signatures. These will be the two (2) required originals. Mark each as "ORIGINAL."

#### B. The copies

Make five (5) copies of the signed original of Section 1 Forms, Section 2 Certifications & Licenses and Section 3 SOQ Technical Requirements for a total of five (5) sets. These copies also may be provided as five (5) CDs (NOT DVDs).

### **PACKAGING THE SOQ**

#### A. THE ORIGINALS

- (1) Package the two signed originals together into one package. Do not use comb or spiral binding on originals. Binder clips are acceptable.
- (2) Label package clearly "ORIGINALS" and add your firm's name.

#### B. THE COPIES

Package together the five (5) sets of copies (or CDs) of Section 1 Forms, Section 2 Certifications & Licenses, and Section 3 SOQ Technical Requirements. Label package clearly "FORMS & SOQ for Municipal Underwriting Services" and add your firm's name.

#### C. THE TOTAL SOQ SUBMITTAL

One package of two originals and the one package of five (5) copies must be sealed in or secured as one package or box.

- (1) The submittal package or box must be clearly marked with the Request title and the SOQ due date.

Do not put your company's name and address on the submittal package or box.

- (2) If you submit your SOQ via a delivery service (U. S. Mail, FedEx, UPS, DHL, etc.) you must indicate on the package that it is a SOQ. The package or box must be clearly marked with the Request title and number and the SOQ due date.

**DELIVERING THE SOQ**

- A. Deliver the SOQ to the Treasury Department, Attention Treasurer, 6th floor, on or before the due date and time specified.
- (1) The submitter is responsible for ensuring timely delivery to the Treasury Department.
  - (2) SOQs sent via United States mail or other delivery services will be considered only if they are received in the Treasury Department before the specified time on the due date. The Park District does not guarantee that SOQs received in the building by mail or other delivery services will be delivered to the Treasury Department before the 4:00 p.m. deadline.
  - (3) The Treasury Department's clock controls the time, not the submitter's.

**B. LATE SOQs WILL NOT BE ACCEPTED.**

**End of SOQ Packaging and Delivery**

## EVALUATION AND SELECTION PROCESS

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In general terms, the evaluation / selection process has three phases.

### PHASE I

The Treasury Department will initially review each SOQ received to determine whether or not the SOQ is responsive to the SOQ.

**Responsiveness:** To be deemed responsive, the SOQ must contain all required and appropriately-signed forms, information, documents, and certifications listed in sections 1, 2, and 3 of the SOQ Contents and, for comparative purposes, the completed forms must be those supplied in this SOQ. The Park District will not accept any reformatted or re-created versions of these forms.

**A SOQ may be deemed non-responsive and eliminated from consideration if any of the following occur:**

1. The Signature Page is not signed.
2. Someone other than the President or other senior officer of your firm signs the Signature Page, and you do not include acceptable legal proof that the signer is authorized.
3. Addenda are issued, and you fail to acknowledge receipt of the addenda on the Signature Page.
4. You do not submit the required three-part SOQ.
5. Any other required documents are lacking.

All responsive and compliant SOQs are forwarded to the SOQ's Evaluation Committee (EC).

### PHASE II

The EC is typically composed of Park District staff. It is also possible for an EC to include outside parties as either voting or non-voting members.

The EC has the sole responsibility and power to determine the qualifications and capabilities of the submitter, and other factors.

### Evaluation Criteria

The Park District intends to review SOQ responses and qualifications and will select underwriters into the Pool based on compliance with all regulatory criteria, demonstrated service to the Park District, analysis and ideas provided, capital resources, status as women, minority or disabled veteran owned and managed enterprise and/or ability to address the Park District's credit and financing needs. The Park District reserves the right to seek supplemental information about specific financing ideas, analysis or pricing prior to selecting one or more financial services providers.

SOQs will be evaluated based on the following criteria:

1. The submitter must be an established company with the professional qualifications and specialized experience necessary for the satisfactory performance of the underwriting services required by the SOQ, and must possess all appropriate licenses and certifications that are issued by the various agencies pertaining to its particular business (including a registration with the SEC and MSRB and in good standing). Experience must include projects of similar scope and magnitude.
2. The quality and comprehensiveness of the submitter's proposed services and the extent to which it meets the stated requirements set out in this Request for SOQ.
3. The submitter's understanding of the services must be clear and comprehensive; the SOQ must demonstrate the submitter's ability to achieve the Park District's goals, with the submitter's overall strategy, methodology, and approach apparent; and all other submitted elements identified in the SOQ's Contents section should be clear, relevant, and comprehensive.

4. The submitter must have verifiably good past and present performance on comparable bond financings in terms of quality of work and compliance with performance schedules. The Park District may solicit relevant information concerning the submitter's record of performance from current and previous clients, or from any other available sources.
5. Key personnel committed to this project must have verifiable professional qualifications and experience in performing similar services.
6. The submitter must have the ability to begin and perform work in a timely manner, and the capacity to provide all services.
7. The submitter must be financially stable.
8. Legal actions, if any, against the submitter and any division, subsidiary or parent company of the submitter, or against any member, partner, etc., of the submitter if the submitter is a business entity other than a corporation.
9. The degree to which the submitter accepts the terms and conditions contained in the General Conditions.
10. Expertise in the underwriting services for the issuance of taxable and tax-exempt municipal bonds, including short-term and alternative financings and variable rate financing structures.
11. Expertise in calculation and analysis of refunding general obligation bond opportunities.
12. Demonstrated understanding of the Park District's debt portfolio. Strategies to best position the Park District to achieve the lowest cost of borrowing for its future financings. The quality of the firm's general consulting services offered, and modeling techniques

No SOQs will be accepted from (or underwriting services awarded to) any firm that is in arrears or is in default with the Park District upon any debt or contract, or that is defaulter, as surety or otherwise, upon any obligation to Park District, or has failed to perform faithfully on any previous contract with the Park District.

The EC will consider any information that may indicate any conflicts (or potential conflicts) of interest which might compromise the submitter's ability to satisfactorily perform the proposed services or undermine the integrity of the competitive procurement process. If any arise the submitter may be removed consideration. Additionally, if any submitter has provided services for the Park District in researching, consulting, advising, drafting, or reviewing of this SOQ, the submitter may be removed from consideration.

### **PHASE III**

Once the EC has reviewed the SOQs, they have several options. They may (1) recommend for inclusion in the Pool; (2) reject one, some, or all SOQs; (3) ask one, some, or all submitters to clarify information contained in their SOQs, or to supply more detail; (4) ask one, some, or all submitters to answer additional questions; (5) invite one, some, or all submitters to appear before the committee, either for an interview, oral presentation, or demonstration; or (6) any combination of 2 through 5.

If, as described above, the submitter is asked to clarify or provide additional information, the submitter must do so within a reasonable time, as determined by the Treasurer or her designee.

**Recommendation of Inclusion in the Pool:** At the end of their evaluation, the committee will recommend the firms to be included in the Pool. Their recommendation will be forwarded to the Chief Financial Officer and/or Park District General Superintendent for review and final approval of the firms to be selected in the Pool.

### **Remaining in the Pool: Ongoing Compliance with Qualifications**

To remain in the Pool, firms must meet the qualifications described in Section 3. at all times.



**Removal from the Pool**

Any firm may be removed or suspended from the Pool for reasons, including but are not limited to, the following:

1. unacceptable performance in any bond sale as determined by an evaluation by the Park District;
2. failure to comply with the Park District's syndicate policies;
3. failure to continue to meet the qualifications listed under Section III.A;
4. failure to maintain federal, state, MSRB and FINRA registrations, licenses, or memberships necessary for offering and selling securities in Illinois;
5. being the subject of, or failure to disclose, any litigation, arbitration, or disciplinary action by the MSRB, SEC, FINRA, the Illinois Securities Department, or other official body;
6. filing for protections under federal or state bankruptcy laws;
7. being the subject of, or failure to disclose, any criminal action; and
8. failure to submit semiannual disclosure reports in a timely manner.

**End of Evaluation and Selection Process**

## SOQ SUBMITTAL FORMS

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**REMOVE AND COMPLETE ALL FORMS.  
SIGN AND NOTARIZE WHERE REQUIRED.**

**ADD OTHER DOCUMENTS LISTED ON  
PAGE 19, IF APPLICABLE**

# SIGNATURE PAGE

This submission is to be completed and executed in accordance with the stated provisions.

IF SOMEONE OTHER THAN THE PRESIDENT SIGNS, submit a copy of the company's by-laws, a resolution, or power of attorney demonstrating that person's authority to bind the company contractually.

The undersigned hereby certifies that they have read and understand the contents of this solicitation and agree to furnish at the prices shown any or all of the services or items stated herein, subject to all instructions, terms, conditions, schedules, specifications and attachments hereto, except only to the extent that the submitter has taken express written exception in this SOQ. Failure to have read and understood all of the provisions of this solicitation shall not be cause to alter the resulting inclusion in the Pool. Submitter agrees that this SOQ shall be good and may not be modified or withdrawn for a period of 120 calendar days after the scheduled closing time for receipt of SOQs.

**Criminal Code:** By signing this document, the submitter hereby certifies that they are not barred from submitting a SOQ as a result of engaging in or being convicted of: (a) bid-rigging in violation of Section 3; or (b) bid rotating in violation of Section 4, of the Illinois Criminal Code of 1971, as amended (720 ILCS, 5/33E-3 and 4), or any similar offenses of any state of the United States. A submitter who makes a false statement material to this certification commits a Class 3 felony.

**Anti-Collusion:** The submitter of this SOQ hereby certifies that such SOQ was not made in the interest of or on behalf of any undisclosed person, partnership, company collusive or sham, and that said has not been a party to any agreement or collusion among submitters or prospective submitters in restraint of freedom of competition by agreement to propose a fixed price, or otherwise, or to refrain from proposing, and has not, directly or indirectly, by agreement, communication or conference with anyone, attempted to induce action prejudicial to the interest of the Chicago Park District or of any submitter or anyone else interested in the SOQ.

**Business Organization:**

- Partnership
- Limited Liability Company
- Corporation; State of Incorporation: \_\_\_\_\_

**Submitter:** \_\_\_\_\_  
*(Print or Type Name of Business)*

**Signature:** \_\_\_\_\_  
*(Written Signature of President or Authorized Officer/Representative)*

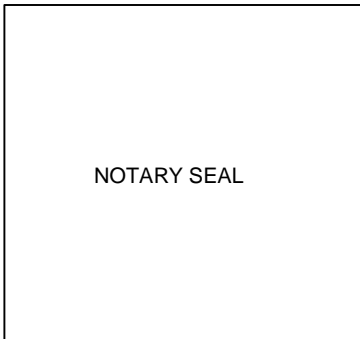
**Date:** \_\_\_\_\_

**Name/Title:** \_\_\_\_\_  
*(Printed or Type Name and Title of President or Authorized Officer/Representative)*

**Address:** \_\_\_\_\_  
*(Print or Type Business Address)*

**City/State/Zip:** \_\_\_\_\_  
*(Print or Type City, State and Zip Code)*

**Telephone #:** \_\_\_\_\_ **Fax #:** \_\_\_\_\_



**NOTARY:** \_\_\_\_\_

**SUBMITTERS MUST ACKNOWLEDGE RECEIPT OF ALL ADDENDA (IF ANY) BELOW.**

Submitter acknowledges receipt of addenda: Number \_\_\_\_\_

Dated \_\_\_\_\_

**(FIRM NAME)**  
**License, Registration, Disciplinary Action, and Litigation**  
**Chicago Park District**  
**Treasury Department**

**LICENSING, REGISTRATION, CERTIFICATIONS**

- |  | Yes                      | No                       |
|--|--------------------------|--------------------------|
| 1. Does the firm have an active Broker-Dealer license issued by the Securities and Exchange Commission (SEC) in the name of the firm?  | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the firm required by the SEC or the Financial Industry Regulatory Authority (FINRA) to file Financial and Operational Combined Uniform Single Reports (FOCUS Reports)? If so, please provide a copy of the firm's most recent FOCUS Report. If the firm is not required to file a FOCUS Report, please provide a copy of the firm's most recent audited financial statement. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Is the firm a current member in good standing with the FINRA?   | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Is the firm registered with and approved by FINRA as a Broker-Dealer in the State of Illinois? If not, does the firm have an active Broker-Dealer Certificate with the State of Illinois Securities Department?   | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Please provide each of the following:<br>Firm's SEC File Number:<br>Firm's MSRB Number:<br>Firm's Central Registration Depository (CRD) Number:<br>Identification of one full-time professional supervisory employee with a FINRA Series 53 license:<br>Name: Title:<br>Office Location:  |                          |                          |

**DISCIPLINARY ACTION & LITIGATION**

- |   |                          |                          |
|---|--------------------------|--------------------------|
| 6. Within the past 24 months, has the firm, any of its principals, or its parent company been the subject of an investigation by the SEC, FINRA, Illinois Securities Department, or any governmental or securities industry-based regulatory agency? <b>If yes, please attach additional information. (Does not count towards 15-page limit)</b>  | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Within the past 24 months, has the firm, any of its principals, or its parent company been involved in any litigation, arbitration, disciplinary, or other official action arising from the firm's underwriting, underwriting practices, management, or the purchase, sale, or distribution of taxable or tax-exempt municipal securities or other governmental obligations (other than individual retail customer claims) by the SEC, FINRA, Illinois Securities, or any other governmental or securities industry-based regulatory agencies? <b>If yes, please attach additional information. (Does not count towards 15-page limit)</b> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Within the past 24 months, has the firm, any of its principals, or its parent company been convicted of any crime related to the conduct of the firm's business or been assessed or paid judgments in excess of \$1 million related to the conduct of the firm's business? <b>If yes, please attach additional information. (Does not count towards 1- page limit)</b>   | <input type="checkbox"/> | <input type="checkbox"/> |

**CREDIT DEFAULT SWAPS****Yes    No**

9. Within the past 24 months, pursuant to its credit default swap market-making activities, has the firm entered into any Chicago Park District credit default swaps (“CDS”)? If yes, please include as an attachment the following information:
- a. The firm’s cumulative notional volume of Chicago Park District CDS trades for the most recently ended 24-month period.
- b. The firm’s outstanding gross and net notional amount of Chicago Park District CDS as of the end of the current 24-month period.
10. Within the past 24 months, pursuant to its proprietary trading activities, has the firm entered into any proprietary trades for its own account in Chicago Park District CDS? If yes, please include as an attachment the following information:
- a. The firm’s outstanding gross and net notional amount of proprietary Chicago Park District CDS (and whether the net position is short or long credit protection) as of the end of the current 24-month period.
- b. List all times during the past 24 months during which, the firm held net long or net short proprietary credit protection positions, the amount of such positions, and whether those positions were net-long or net-short credit protection positions.
11. Within the past 24 months, has the firm released any publicly available research or marketing reports that reference Chicago Park District CDS? If yes, please include the report(s) as an attachment.

**ADDITIONAL DOCUMENTATION**

Please check one of the following boxes:

- Attached are the firm’s most recent 10-K and 10-Q legal proceedings sections, as well as the Disclosure Event section of the firm’s FINRA BrokerCheck report for the period of April 1, 2014 through May 31, 2016.
- Attached is the Disclosure Event section of the firm’s FINRA BrokerCheck report for the period of April 1, 2014 through May 31, 2016. The firm is not required to submit a 10-K or 10-Q legal proceedings sections by the SEC.

DATE:

Signature: \_\_\_\_\_

(Printed Name)

(Job Title)

**CAPITAL COMPLIANCE  
QUALIFICATIONS  
Chicago Park District  
Treasury Department**

Provide the firm's equity, debt, net capital, and excess net capital as defined by FINRA for each of the previous three years.

<b>2013</b>	<b>Amount</b>
Equity:	
Debt:	
Net Capital:	
Excess Net Capital :	

<b>2014</b>	<b>Amount</b>
Equity:	
Debt:	
Net Capital:	
Excess Net Capital:	

<b>2015</b>	<b>Amount</b>
Equity:	
Debt:	
Net Capital:	
Excess Net Capital:	

# ECONOMIC DISCLOSURE STATEMENT & AFFIDAVIT

## WHO MUST SUBMIT AN EDS

**APPLICANTS:** Any individual or entity (the "Applicant") making an application to the Park District for action requiring approval of the Park District's Board of Commissioners ("Board of Commissioners").

**ENTITIES HOLDING AN INTEREST IN THE APPLICANT:** Generally, whenever an ownership interest in the Applicant (for example, shares of stock of the Applicant or a limited partnership interest in the Applicant) is held or owned by a legal entity (for example, a corporation or partnership, rather than an individual) each such legal entity must also file an EDS on its own behalf, and any parent of that legal entity must do so until individual owners are disclosed. However, if an entity filing an EDS is a corporation (or a direct or indirect, wholly-owned subsidiary of such corporation) whose shares are registered on a national securities exchange pursuant to the Securities Exchange Act of 1934 as amended, only those shareholders that own ten percent (10%) or more of that filing entity's stock must file EDSs on their own behalf.

**REQUIREMENT:** The Chicago Park District (the "Park District") requires disclosure of the information requested in this Economic Disclosure Statement and Affidavit ("EDS") before any Park District action may be taken regarding the matter that is the subject of this EDS. Please fully complete each statement, with all information current as of the date this EDS is signed. If a question is not applicable, answer with "N.A." An incomplete EDS will be returned and any Park District action will be interrupted.

**EXECUTION:** Please print or type all responses clearly and legibly. Add additional pages if needed, being careful to identify the portion of the EDS to which each additional page refers.

**ACKNOWLEDGMENT OF POSSIBLE CREDIT AND OTHER CHECKS:** By completing and filing this EDS, the Undersigned acknowledges and agrees, on behalf of itself and the entities or individuals named in this EDS that the Park District may investigate the creditworthiness of some or all of the entities or individuals named in this EDS.

**CERTIFYING THIS EDS:** Execute the certification on the date of the initial submission of this EDS. You may be asked to re-certify this EDS on the last page as of the date of submission of any related ordinance to the Board of Commissioners, or as of the date of the closing of your transaction.

**PUBLIC DISCLOSURE:** It is the Park District's policy to make this document available to the public on its internet site and/or upon request.

## SECTION 0: GENERAL INFORMATION

Date this EDS is completed: \_\_\_\_\_

1. Who is submitting this EDS? That individual or entity will be the "Undersigned" throughout this EDS.

\_\_\_\_\_  
NAME OF ENTITY OR INDIVIDUAL

NOTE: The Undersigned is the individual or entity submitting this EDS, whether the Undersigned is an Applicant or is an entity holding an interest in the Applicant. This EDS requires certain disclosures and certifications from Applicants that are not required from entities holding an interest in the Applicant. When completing this EDS, please observe whether the section you are completing applies only to Applicants.

[ ] Check here if the Undersigned is filing this EDS as an Applicant

[ ] Check here if the Undersigned is filing as an entity holding an interest in an Applicant.

Please identify the Applicant in which this entity holds an interest:

\_\_\_\_\_

2. Business address of the Undersigned: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

4. Name of contact person: \_\_\_\_\_

5. Tax identification number (optional): \_\_\_\_\_

6. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains. (Include project number and location if applicable):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION I: DISCLOSURE OF OWNERSHIP INTERESTS**

**A. NATURE OF ENTITY**

- 1. Indicate whether the Undersigned is an individual or legal entity:
  - Individual
  - Business corporation
  - Sole proprietorship
  - Limited Liability Company
  - Joint venture
  - General partnership
  - Limited partnership
  - Not-for-profit corporation
    - Is the not-for-profit corporation also a 501(c)(3)?
    - Yes  No
  - Other entity (please specify) \_\_\_\_\_

2. State of incorporation or organization, if applicable:  
\_\_\_\_\_

3. For legal entities not organized in the State of Illinois: Is the organization authorized to do business in the State of Illinois as a foreign entity?  
 Yes  No  N/A

**B. ORGANIZATION INFORMATION**

- 1. IF THE UNDERSIGNED IS A CORPORATION:
  - a. Year of incorporation: \_\_\_\_\_
  - b. List below the names and titles of all executive officers and all directors of the corporation. For not-for-profit corporations, also list below any executive director of the corporation, and indicate all members, if any, who are legal entities. If there are no such members, write "no members."



Name	Title

c. If the Undersigned is a corporation (or a direct or indirect wholly owned subsidiary of such corporation) whose shares are registered on a national securities exchange pursuant to the Securities Exchange Act of 1934, please provide the following information concerning shareholders who own shares equal to or in excess of 7.5% of the corporation's outstanding shares.

Name	Business Address	Percentage Interest

d. For corporations that are not registered on a national securities exchange pursuant to the Securities Exchange Act of 1934, list below the name, business address and percentage of ownership interest of each shareholder.

Name	Business Address	Percentage Interest

2. IF THE UNDERSIGNED IS A PARTNERSHIP OR JOINT VENTURE:

For general or limited partnerships or joint ventures: list below the name, business address and percentage of ownership interest of each partner. For limited partnerships, indicate whether each partner is a general partner or a limited partner.

Name	Business Address	Percentage Interest

3. IF THE UNDERSIGNED IS A LIMITED LIABILITY COMPANY:

a. List below the name, business address and percentage of ownership interest of each member and manager. If there are no managers, write "no managers," and indicate how the company is managed.

Name	Business Address	Percentage Interest

b. List below the names and titles of all officers, if any. If there are no officers, write "no officers."

Name	Title

4. IF THE UNDERSIGNED IS A LAND TRUST, BUSINESS TRUST, ESTATE OR OTHER SIMILAR ENTITY

a. List below the name and business address of each individual or legal entity holding legal title to the property that is the subject of the trust.

Name	Business Address	Percentage Interest

b. List below the name, business address and percentage of beneficial interest of each beneficiary on whose behalf title is held.

Name	Business Address	Percentage Interest

5. IF THE UNDERSIGNED IS ANY OTHER LEGAL ENTITY

First describe the entity, and then provide the name, business address, and the percentage of interest of all individuals or legal entities having an ownership or other beneficial interest in the entity.

Describe the entity:

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Name	Business Address	Percentage Interest



of the fees paid or estimated to be paid. The Undersigned is not required to disclose employees who are paid solely through the Undersigned's regular payroll.

- 2. If the Undersigned is uncertain whether a disclosure is required under this Section, the Undersigned must ask the Park District's Director of Purchasing whether disclosure is required or make the disclosure.

**B. CERTIFICATION**

Each and every attorney, lobbyist, accountant, consultant, subcontractor, or other person retained or anticipated to be retained directly by the Undersigned with respect to or in connection with the Matter is listed below [begin list here, add sheets as necessary]:

Name (indicate whether retained or anticipated to be retained)	Business Address	Relationship to Undersigned (attorney, lobbyist, etc.)	Fees (indicate whether paid or estimated)
---	------------------	---	--

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[ ] Check here if no such individuals have been retained by the undersigned or are anticipated to be retained by the undersigned.

**SECTION IV: CERTIFICATIONS**

**A. CERTIFICATION OF COMPLIANCE**

For purposes of the certifications in this Section IV, the term "affiliate" means any individual or entity that, directly or indirectly: controls the Undersigned, is controlled by the Undersigned, or is, with the Undersigned, under common control of another individual or entity. Indicia of control include, without limitation: interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with the federal government or a state or local government, including the Park District and the City of Chicago, using substantially the same management, ownership, or principals as the ineligible entity.

- 1. The Undersigned is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, nor are the Undersigned or its affiliates delinquent in paying any fine, fee, tax or other charge owed to the City of Chicago or the Park District. This includes all water charges, sewer charges, license fees, parking tickets, property taxes or sales taxes. If there are any such delinquencies, note them below:

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

- 2. The Undersigned and its affiliates have not, in the past five (5) years, been found in violation of any Park District, City, state or federal environmental law or regulation. If there have been any such violations, note them below:

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\_\_\_\_\_  
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

- 3. If the Undersigned is the Applicant, the Undersigned and its affiliates will not use, nor permit their subcontractors to use, any facility on the U.S. EPA's List of Violating Facilities in connection with the Matter for the duration of time that such facility remains on the list.
- 4. If the Undersigned is the Applicant, the Undersigned will obtain from any contractor/ subcontractor hired or to be hired in connection with the Matter certifications equal in form and substance to those in this Section IV, and will not, without the prior written consent of the Park District, use any such contractor/subcontractor that does not provide such certifications or that the Undersigned has reason to believe has not provided or cannot provide truthful certifications.
- 5. If the Undersigned is unable to make the certifications required in Section IV, A, provide an explanation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

**B: CHILD SUPPORT OBLIGATIONS: CERTIFICATION REGARDING COURT - ORDERED CHILD SUPPORT COMPLIANCE**

For purposes of this part, "Substantial Owner" means any individual who, directly or indirectly, owns or holds a 10% or more interest in the Undersigned. Note: This may include individuals disclosed in Section One (Disclosure of Ownership Interests), and individuals disclosed in an EDS filed by an entity holding an interest in the Applicant.

If the Undersigned's response below is #1 or #2, then all of the Undersigned's Substantial Owners must remain in compliance with any such child support obligations until the Matter is completed. Failure of the Undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either #1 or #2 constitutes an event of default.

Check one:

- \_\_\_ 1. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County, Illinois or by another Illinois court of competent jurisdiction.
- \_\_\_ 2. The Circuit Court of Cook County, Illinois or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations. All such Substantial Owners, however, have entered into court-approved agreements for the payment of all such child support owed, and all such Substantial Owners are in compliance with such agreements.
- \_\_\_ 3. The Circuit Court of Cook County, Illinois or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations and (a) at least one such Substantial Owner has not entered into a court-approved agreement for the payment of all such child support owed; or (b) at least one such Substantial Owner is not in compliance with a court approved agreement for the payment of all such child support owed; or both (a) and (b).
- \_\_\_ 4. There are no Substantial Owners.

### C. FURTHER CERTIFICATIONS

For purposes of this part, "Affiliated Entity" means an individual or entity that, directly or indirectly, controls the Undersigned, is controlled by the Undersigned, or is, with the Undersigned, under common control of another individual or entity. Indicia of control include, without limitation, interlocking management or ownership; identity of interests among family members; shared facilities and equipment; common use of employees; or organization of a business entity following the ineligibility of a business entity to do business with federal or state or local government or unit thereof, including the Park District and the City of Chicago, using substantially the same management, ownership, or principals as the ineligible entity.

With respect to Applicable Parties, the term Affiliated Entity means an individual or entity that directly or indirectly controls the Applicable Party, is controlled by it, or, with the Applicable Party, is under common control of another individual or entity; any responsible official of the Undersigned; any Applicable Party or any Affiliated Entity or any other official, agent or employee of the Undersigned; any Applicable Party or any Affiliated Entity acting pursuant to the direction or authorization of a responsible official of the Undersigned; any Applicable Party or any Affiliated Entity (collectively "Agents").

1. The Undersigned and, if the Undersigned is a legal entity, its principals (officers, directors, partners, members, managers, executive director):
  - a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
  - b. have not, within a five-year period preceding the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
  - c. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in C.1.b of this section;
  - d. have not, within a five (5) year period preceding the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
  - e. have not, within a five (5) year period preceding the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, in any criminal or civil action instituted by the Park District, City of Chicago or by the federal government, any state, or any other unit of local government.
2. Neither the Undersigned, nor any Applicable Party, nor any Affiliated Entity of either the Undersigned or any Applicable Party nor any Agents have, during the five (5) years before the date this EDS is signed, or, with respect to an Applicable Party, an Affiliated Entity, or an Affiliated Entity of an Applicable Party during the five (5) years before the date of such Applicable Party's or Affiliated Entity's contract or engagement in connection with the Matter:
  - a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the Park District, the City of Chicago, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity
  - b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or

- c. made an admission of such conduct described in (1) or (2) above that is a matter of record, but have not been prosecuted for such conduct.
- 3. The Undersigned understands and shall comply with (a) all applicable requirements of Governmental Ethics under Park District Code, and (b) all the applicable provisions of the Park District Purchasing and Contracting Code.
- 4. Neither the Undersigned, Affiliated Entity or Applicable Party, or any of their employees, officials, agents or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (a) bid-rigging in violation of 720 ILCS 5/33E-3; (b) bid-rotating in violation of 720 ILCS 5/33E-4; or (c) any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.
- 5. If the Undersigned is unable to certify to any of the above statements in this Part C, the Undersigned must explain below:

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If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

**D. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION**

For purposes of this Part IV, the term "financial institution" means a bank, savings and loan association, thrift, credit union, mortgage banker, mortgage broker, trust company, savings bank, investment bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment trust, venture capital company, bank holding company, financial services holding company, or any licensee under the Consumer Installment Loan Act, the Sales Finance Agency Act, or the Residential Mortgage Licensing Act. However, "financial institution" specifically shall not include any entity whose predominant business is the providing of tax deferred, defined contribution, or pension plans to public employees in accordance with Sections 403(b) and 457 of the Internal Revenue Code.

1. CERTIFICATION

The Undersigned certifies that the Undersigned [check one]  
 \_\_\_\_\_ is  
 \_\_\_\_\_ is not

a "financial institution" as defined above.

2. IF THE UNDERSIGNED IS A FINANCIAL INSTITUTION, THEN THE UNDERSIGNED PLEDGES:

"We are not and will not become a predatory lender as defined in Chapter 2 -32 of the Municipal Code of the City of Chicago. We further pledge that none of our affiliates is, and none of them will become, a predatory lender as defined in Chapter 2-32 of the Municipal Code. We understand that becoming a predatory lender or becoming an affiliate of a predatory lender may result in the loss of the privilege of doing business with the Park District."

If the Undersigned is unable to make this pledge because it or any of its affiliates (as defined in Section 2-32- 455(b) of the Municipal Code) is a predatory lender within the meaning of Chapter 2-32 of the Municipal Code of the City of Chicago, explain here (attach additional pages if necessary):

---

\_\_\_\_\_  
\_\_\_\_\_  
If the letters "NA," the word "None," or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

**E. CERTIFICATION REGARDING INTEREST IN PARK DISTRICT BUSINESS**

- Any words or terms defined in Park District Code have the same meanings when used in this Part IV.

- 1. Does any Commissioner, Chicago Parks Foundation Board Member, Employee of the Park District, or Employee of the Chicago Parks Foundation have a financial interest in his or her own name or in the name of any other person in the Matter?

[ ] Yes [ ] No

NOTE: If you answered "No" to Item IV.E.1, you are not required to answer Items IV.E.2 or IV.E.3 below. Instead, review the certification in Item IV.E.4 and then proceed to Part V. If you answered "Yes" to Item IV.E.1, you must first respond to Item IV.E.2 and provide the information requested in Item IV.E.3. After responding to those items, review the certification in Item IV.E.4 and proceed to Part V.

- 2. Unless sold pursuant to a process of competitive bidding, no Park District Commissioner, Chicago Parks Foundation Board Member, Employee of the Park District, or Employee of the Chicago Parks Foundation shall have a financial interest in his or her own name or in the name of any other person in the purchase of any property that (a) belongs to the Park District, or (b) is sold for taxes or assessments, or (c) is sold by virtue of legal process at the suit of the Park District (collectively, "Park District Property Sale"). Compensation for property taken pursuant to the exercise of any power of eminent domain does not constitute a financial interest within the meaning of this Part IV.

Does the Matter involve a Park District Property Sale?

[ ] Yes [ ] No

- 3. If you answered "yes" to Item IV.E.1, provide the names and business addresses of the Park District Commissioners, Chicago Parks Foundation Board Members, Employees of the Park District, or Employees of the Chicago Parks Foundation having such interest and identify the nature of such interest:

Name	Business Address	Nature of Interest
_____		
_____		
_____		

- 4. The Undersigned further certifies that no prohibited financial interest in the Matter will be acquired by any Park District Commissioner, Chicago Parks Foundation Board Member, Employee of the Park District, or Employee of the Chicago Parks Foundation.

**SECTION V: CERTIFICATIONS FOR FEDERALLY - FUNDED MATTERS**

**A. CERTIFICATION REGARDING LOBBYING**

- 1. List below the names of all individuals registered under the federal Lobbying Disclosure Act of 1995 who have made lobbying contacts on behalf of the Undersigned with respect to the Matter: [Begin list here, add sheets as necessary]:

\_\_\_\_\_



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If no explanation appears or begins on the lines above, or if the letters "NA" or if the word "None" appear, it will be conclusively presumed that the Undersigned means that NO individuals registered under the Lobbying Disclosure Act of 1995 have made lobbying contacts on behalf of the Undersigned with respect to the Matter.

2. The Undersigned has not spent and will not expend any federally appropriated funds to pay any individual listed in Section V.A.1 above, for his or her lobbying activities or to pay any individual to influence or attempt to influence an officer or employee of any agency, as defined by applicable federal law, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the award of any federally funded contract, making any federally funded grant or loan, entering into any cooperative agreement, or to extend, continue, renew, amend, or modify any federally funded contract, grant, loan, or cooperative agreement.
3. The Undersigned will submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the statements and information set forth in parts 1 and 2 above.

If the Matter is federally funded and any funds other than federally appropriated funds have been or will be paid to any individual for influencing or attempting to influence an officer or employee of any agency (as defined by applicable federal law), a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the Matter, the Undersigned must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. The form may be obtained online from the federal Office of Management and Budget (OMB) web site at:

<http://www.whitehouse.gov/omb/grants/sfillin.pdf>, linked on the page  
<http://www.whitehouse.gov/omb/grants/grantsforms.html>.

4. The Undersigned certifies that either (a) it is not an organization described in section 501(c)(4) of the Internal Revenue Code of 1986, as amended; or (b) it is an organization described in section 501 (c)(4) of the Internal Revenue Code of 1986, as amended but has not engaged and will not engage in "Lobbying Activities".
5. If the Undersigned is the Applicant, the Undersigned must obtain certifications equal in form and substance to Section V.A.1-4 above from all subcontractors before it awards any subcontract and the Undersigned must maintain all such subcontractors' certifications for the duration of the Matter and must make such certifications promptly available to the Park District upon request.

## **B. CERTIFICATION REGARDING NON-SEGREGATED FACILITIES**

1. If the Undersigned is the Applicant, the Undersigned does not and will not maintain or provide for its employees any segregated facilities at any of its establishments and it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained.

"Segregated facilities," as used in this provision, means any waiting rooms,' work areas, restrooms, washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, sex, or national origin because of habit, local or employee custom, or otherwise.

However, separated or single-user restrooms and necessary dressing or sleeping areas must be provided to assure privacy between the sexes.

- 2. If the Undersigned is the Applicant and the Matter is federally funded, the Undersigned will, before the award of subcontracts (if any), obtain identical certifications from proposed subcontractors under which the subcontractor will be subject to the Equal Opportunity Clause. Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any twelve (12) month period, are generally subject to the Equal Opportunity Clause. See 41 CFR Part 60 for further information regarding the Equal Opportunity Clause. The Undersigned must retain the certifications required by this paragraph for the duration of the contract (if any) and must make such certifications promptly available to the Park District upon request.
- 3. If the Undersigned is the Applicant and the Matter is federally funded, the Applicant will forward the notice set forth below to proposed subcontractors:

**NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS FOR CERTIFICATIONS OF NON-SEGREGATED FACILITIES**

Subcontractors must submit to the Contractor a Certification of Non-segregated Facilities before the award of any subcontract under which the subcontractor will be subject to the federal Equal Opportunity Clause. The subcontractor may submit such certifications either for each subcontract or for all subcontracts during a period (e.g., quarterly, semiannually, or annually).

**C. CERTIFICATION REGARDING EQUAL EMPLOYMENT OPPORTUNITY**

Federal regulations require prospective contractors for federally funded Matters (e.g., the Applicant) and proposed subcontractors to submit the following information with their bids or in writing at the outset of negotiations. (NOTE: This Part C is to be completed only if the Undersigned is the Applicant.)

- 1. Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 CFR Part 60-2)  
 Yes       No       N/A
- 2. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?  
 Yes       No       N/A
- 3. Have you filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements?  
 Yes       No       N/A

**SECTION VI: NOTICE AND ACKNOWLEDGMENT REGARDING PARK DISTRICT ETHICS AND CAMPAIGN FINANCE ORDINANCES**

The Park District's Governmental Ethics Code, Chapter III of the Park District Code, imposes certain duties and obligations on individuals or entities seeking Park District contracts, work, business, or transactions. The Undersigned must comply fully with the applicable codes.

- By checking this box the undersigned acknowledges and understands that the Park District's Governmental Ethics Code, among other things:
  - A. Provides that any contract negotiated, entered into or performed in violation of the Park District's Governmental Ethics Code can be voided by the Park District.
  - B. Limits the gifts and favors any individual or entity can give, or offer to give, to any Park District Commissioner, employee, contractor or the spouse or minor child of any of them, including:
    - 1. any cash gift or any anonymous gift; and

2. any gift based on a mutual understanding that the Commissioner's or employee's or Park District contractor's actions or decisions will be influenced in any way by the gift.
- C. Prohibits any Park District Commissioner or employee from having a financial interest, directly or indirectly, in any contract, work, transaction or business of the Park District, if that interest has a cost or present value of \$5,000 or more, or if that interest entitles the owner to receive more than \$2,500 per year.
  - D. Prohibits any appointed Park District Commissioner from engaging in any contract, work, transaction or business of the Park District, unless the matter is wholly unrelated to the appointed official's duties or responsibilities.
  - E. Provide that Park District Commissioners and employees or their spouses or minor children, cannot receive compensation or anything of value in return for advice or assistance on matters concerning the operation or business of the Park District, unless their services are wholly unrelated to their Park District duties and responsibilities.
  - F. Provide that former Park District Commissioners and employees cannot, for a period of one year after their Park District employment ceases, assist or represent another on any matter involving the Park District if, while with the Park District, they were personally and substantially involved in the same matter.
  - G. Provide that former Park District employees and Commissioners cannot ever assist or represent another on a Park District contract if, while with the Park District, they were personally involved in or directly supervised the formulation, negotiation or execution of that contract.

## **SECTION VII: CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE**

### THE UNDERSIGNED UNDERSTANDS AND AGREES THAT:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the Park District in connection with the Matter, whether procurement, Park District assistance, or other Park District action, and are material inducements to the Park District's execution of any contract or taking other action with respect to the Matter. The Undersigned understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. If the Park District determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the Park District may pursue any remedies under the contract or agreement (if not rescinded, void or voidable), at law, or in equity, including terminating the Undersigned's participation in the Matter and/or declining to allow the Undersigned to participate in other transactions with the Park District.
- C. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Undersigned waives and releases any possible rights or claims which it may have against the Park District in connection with the public release of information contained in this EDS and also authorizes the Park District to verify the accuracy of any information submitted in this EDS.
- D. The Undersigned has not withheld or reserved any disclosures as to economic interests in the Undersigned, or as to the Matter, or any information, data or plan as to the intended use or purpose for which the Applicant seeks Park District action.
- E. The information provided in this EDS must be kept current. In the event of changes, the Undersigned must supplement this EDS up to the time the Park District takes action on the Matter.

**EDS CERTIFICATION**

Under penalty of perjury, the person signing below (1) warrants that he/she is authorized to execute this EDS on behalf of the Undersigned, and (2) warrants that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the Park District.

Date: \_\_\_\_\_

\_\_\_\_\_  
*(Print or type name of legal entity or individual submitting this EDS)*

By:

\_\_\_\_\_  
*(Signature)*

Print or type name of signatory:

\_\_\_\_\_

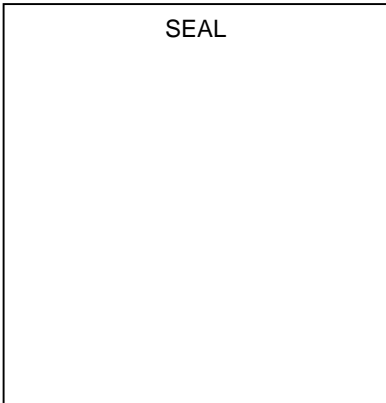
Title of signatory:

\_\_\_\_\_

Subscribed to before me on [date] \_\_\_\_\_, at \_\_\_\_\_ County,  
\_\_\_\_\_ [state].

\_\_\_\_\_ Notary Public

Commission expires: \_\_\_\_\_



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**DO NOT SUBMIT THIS PAGE WITH YOUR EDS**

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The purpose of this page is for you to recertify your EDS prior to submission to the Park District or on the date of closing. If unable to recertify truthfully, the Undersigned must complete a new EDS with correct or corrected information.

**RECERTIFICATION**

Generally, for use with Park District matters. Not for Park District procurements unless requested.

This recertification is being submitted in connection with \_\_\_\_\_ [identify the Matter]. Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS recertification on behalf of the Undersigned, (2) warrants that all certifications and statements contained in the Undersigned's original EDS are true, accurate and complete as of the date furnished to the Park District and continue to be true, accurate and complete as of the date of this recertification, and (3) reaffirms its acknowledgments.

\_\_\_\_\_  
*(Print or type name of legal entity or individual submitting this EDS)*

Date: \_\_\_\_\_

By:

\_\_\_\_\_  
*(sign here)*

Print or type name of signatory:

\_\_\_\_\_

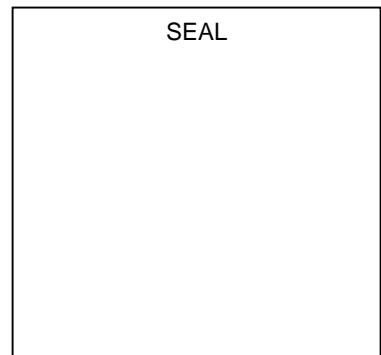
Title of signatory:

\_\_\_\_\_

Subscribed to before me on [date] \_\_\_\_\_, at \_\_\_\_\_ County,  
\_\_\_\_\_ [state].

\_\_\_\_\_ Notary Public.

Commission expires: \_\_\_\_\_



# SELF-PERFORMANCE AFFIDAVIT

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If selected and approved to serve as an underwriter on a Park District bond issue, submitter shall perform a minimum of 100% of the underwriting services with its own employees unless the subcontractor is a registered broker dealer in good standing with applicable federal, state and local regulatory agencies and has entered into a retail distribution agreement with the submitter. Notwithstanding any such agreement, submitter shall be responsible for any and all underwriting and related services if approved as an underwriter on a Park District bond issue.

Submitter: \_\_\_\_\_  
*(Print or Type Name of Firm)*

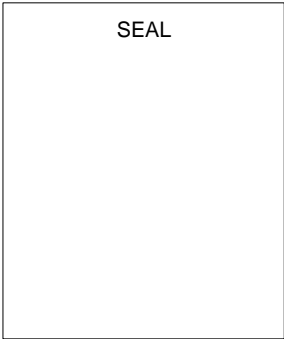
Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*(Written Signature of Authorized Officer/Representative)*

Name/Title: \_\_\_\_\_  
*(Print or Type Name and Title of Person Signing Statement)*

SUBSCRIBED TO BEFORE ME ON [DATE] \_\_\_\_\_, AT \_\_\_\_\_ COUNTY, STATE OF \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

COMMISSION EXPIRES: \_\_\_\_\_



**FIRM CONTACTS  
CHICAGO PARK DISTRICT  
TREASURY DEPARTMENT**

**Please notify the Park District Treasurer ([cynthia.evangelisti@chicagoparkdistrict.com](mailto:cynthia.evangelisti@chicagoparkdistrict.com)) of any changes to this form.**

**Chairman of the Board (or comparable position)**

Name: Title: Address:  
City/State/Zip:  
Phone:  
Fax:  
Email Address:

**Contact to receive all RFQs/SOQs**

Name: Title: Address:  
City/State/Zip:  
Phone:  
Fax:  
Email Address:

**Chief Executive Officer (or comparable position)**

Name: Title: Address:  
City/State/Zip:  
Phone:  
Fax:  
Email Address:

**Head of Public Finance Department (or position)**

Name:  
Title:  
Address:  
City/State/Zip:  
Phone:  
Fax:  
Email Address:

**Compliance/Quarterly Disclosure Contact**

Name:  
Title:  
Address:  
City/State/Zip:  
Phone:  
Fax:  
Email Address:

**Trader – Auction Rate (or comparable position)**

Name:  
Title:  
Address:  
City/State/Zip:  
Phone:  
Fax:  
Email Address:

**Trader – Fixed Rate (or comparable position)**

Name:  
Title:  
Address:  
City/State/Zip:  
Phone:  
Fax:  
Email Address:

**Trader – Variable Rate (or comparable position)**

Name:  
Title:  
Address: :  
City/State/Zip:  
Phone:  
Fax:  
Email Address:

## NO SOQ RESPONSE FORM

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Request for SOQ

### UNDERWRITING SERVICES

Due Date: Monday, July 11, 2016 at 4:00 p.m. C.D.T.

Should you decide not to submit a SOQ on this specific contract, please complete and return this form on or before the SOQ opening date.

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### REASON FOR NOT RESPONDING

- Too busy at this time
- Insufficient time to respond to request
- Job too small
- Job too large
- Too competitive
- Specifications too restrictive (explain below)
- Specifications are unclear (explain below)
- Unable to meet bond/insurance requirements
- Other (explain below)

Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ by: \_\_\_\_\_  
*(Company Name)* *(Authorized Signature)*

\_\_\_\_\_ *(Address)* \_\_\_\_\_ *(Printed Name and Title)*

\_\_\_\_\_ *(City, State, Zip Code)* \_\_\_\_\_ *(Date)*